

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

Present: Hon'ble Shri D.N.Padhi, SCIC

and

Shri Jagadananda, SIC

Date: 16th October, 2008

Complaint Case No. 97/2007



Pramod Ranjan Dash,

Qrs No.-F/216,

Unit-8,

PO-Nayapalli,

Bhubaneswar.....Complainant

-Vrs-

Public Information Officer,

School and Mass Education Department,

Government of Orissa,

Secretariat,

Bhubaneswar.....Opposite Party

Decision

1. Complainant Pramod Ranjan Dash is present. Deepak Das, in charge Administrative Officer, SIET, Orissa, Bhubaneswar is also present. Heard. Perused the case record. This matter arises out of complaint petition dated 31/01/07.
2. The Complainant had submitted form A application dated 19/12/06 with the PIO, School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar to know the reasons for discriminatory application of the GPF and EPF principles to the

four employees placed on equal footing. The then PIO of the School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar endorsed the application to their Section XII. Thereafter, the application had been transferred to the PIO. SIET vide letter no.2679 dated 13/02/07. The PIO, SIET was directed by the State Commission on 05/10/07 to provide the information to the Complainant, free of charge, within 7 days. In obedience thereto, the PIO had supplied the information to the Complainant vide letter no. 456 dated 08/10/07. However, the Complainant had alleged that he had not received the information on items no.3 and 4.

3. The PIO submitted today that all required information on items no.3 and 4 had also been supplied to the Complainant vide letter no. 30 dated 29/01/08 which was confirmed by the latter.
4. Suffice it to mention that for the delay in transferring the application to SIET, Giridhari Sahoo, Senior Assistant, Section XII, School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar has been penalized for 16 days, after giving allowance for the maximum period of transaction time of 30 days available under the RTI Act, 2005.
5. As regards delay in SIET, the PIO stated that there is no regular Director in SIET and the Director, TE and SCERT, Orissa is the ex-officio Director of SIET. He sits in his regular office in a different place from away and the file movements are very tedious. Hence


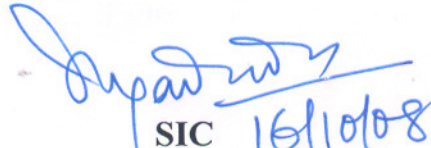
the delay was systematic and there was no malafide intention in the delay in supply of the information. The Complainant also agreed to that statement as he is himself an employee in SIET.

6. In view of the above position, the PIO, Deepak Das is exonerated from any penalty and the case is disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 16th day of October, 2008.




SCIC 16.10.08

SIC 16/10/08